

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3736 OF 2016

Mukesh Balasaheb Rajemane,
Age : 30 years, Occ. Service
as Assistant Teacher (Secondary),
r/o. At Post Karepur,
Tq. Renapur, Dist. Latur ..Petitioner

Vs.

The State of Maharashtra,
Through its Secretary,
Social Justice and Special
Assistance Department,
Mantralaya, Mumbai
and others ..Respondents

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Mr.S.C.Swami, Advocate for petitioner

Mr.V.S.Badakh, AGP for respondent nos.1 to 3

Mr.V.D.Gunale, Advocate for respondent nos.4 and 5

Mr.H.P.Jadhav, Advocate for respondent no.6

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WRIT PETITION NO.3737 OF 2016

Santosh s/o. Venkati Parit,
Age : 25 years, Occ. Service
as Assistant Teacher (Secondary),
r/o. Janwal, Tq. Chakur
Dist. Latur ..Petitioner

Vs.

The State of Maharashtra,
Through its Secretary,
Social Justice and Special
Assistance Department,
Mantralaya, Mumbai
and others

..Respondents

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Mr.S.C.Swami, Advocate for petitioner

Mr.R.V.Virdhe, AGP for respondent nos.1 to 3

Mr.V.D.Gunale, Advocate for respondent nos.4 and 5

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WRIT PETITION NO.3758 OF 2016

Sangmeshwar Vaijnath Kusnure,
Age : 25 years, Occ. Service
as Hostel Superintendent,
r/o. Janwal, Tq. Chakur
Dist. Latur

..Petitioner

Vs.

The State of Maharashtra,
Through its Secretary,
Social Justice and Special
Assistance Department,
Mantralaya, Mumbai
and others

..Respondents

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Mr.S.C.Swami, Advocate for petitioner

Mr.S.B.Yawalkar, AGP for respondent nos.1 to 3

Mr.V.D.Gunale, Advocate for respondent nos.4 and 5

**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : JULY 15, 2016**

PER COURT :

Heard.

2. The learned Counsel for the petitioners submits that the petitioners were appointed on various posts after advertising the posts and following the due procedure. It is submitted that even initially, approval was granted by the respondent/authority to the appointments of the petitioners for three years. However, the proposals submitted by the respondent/Management to respondent no.3 for approval to the continuation of the services of the petitioners, have been simply kept pending.

3. The learned AGP submits that appointments of the petitioners were not in accordance with the relevant Government policy.

4. Upon hearing the learned Counsel for the petitioners, the learned AGP for the respondents – State and the learned Counsel for the respondents – Management, we are of the opinion that since the proposals for approval to continuation of services of the petitioners are pending with respondent no.2, respondent no.2 can be directed to decide the said proposals on their own merits. In view of the documents produced on record, we cannot countenance the stand taken by respondent no.2 in the reply that the appointments of the petitioners were not in accordance with the procedure.

5. In that view of the matter, we direct respondent no.2 to take decision on the pending proposals for approval to the continuation of the services of the petitioners on their own merits, as expeditiously as possible, however, within a period of eight weeks from today. While considering the pending proposals, respondent no.2

shall take into consideration the initial approval granted to the appointments of the petitioners. If the decision so taken is in favour of the petitioners, appropriate steps be expedited for payments of the salary of the petitioners since July, 2015.

6. With these directions, the Writ Petitions stand disposed of.

7. The parties to act on authenticated copies of this order.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

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